

SUES FOR \$10,000

Marie La Plant Alleges Breach of Promise.

TO BE MARRIED SEPT. 11

But the Groom Did Not Appear for the Ceremony.

Miss Marie La Plant filed a petition in the district court, charging Marcelus Herndon with breach of promise. She alleged that on the 11th day of August 1901, Mr. Herndon made a direct promise of marriage to her and that they were to be married the evening of the 11th day of September. She was ready and had her clothes ready and was waiting for the man. He did not put in an appearance and yesterday morning she went to the office of Bentley & Hatfield and the papers were made out immediately and filed. She claims that because the promise of her lover had not been kept, she has been damaged in the sum of \$10,000 and prays judgment for that amount. Last night Mr. Herndon made the following statement to a reporter for the Eagle. The summons of the court had just been served on him: "I hardly know what to think of this. I like the girl and would probably have married her at any time, but I wanted it put off for a while. She seemed to be a pretty nice sort of a girl and I have absolutely nothing against her. I thought she loved me and did not think she would do anything of this kind. I never made a direct promise to marry her, but on several occasions I intimated that I would marry her. I met her about two months ago and have called on her several times and have always treated her best I know how. I don't think I have given her any reason to sue me for breach of promise. I am willing to marry her if she and her friends to be all I think she is and our wanted to have a little time to see how she acted. She is a very smart girl and is well read and any man would enjoy himself in her company. About two weeks ago I called on her and went out walking and she asked me if September 11, would do for the date of our marriage and I told her it would as well as any time if we were to be married. She asked me if she should get her clothes ready. I told her not to be in any hurry as I did not know enough about her to be married just then. I thought at the time she should have my suit some time, but I did not think that she would take the matter so seriously and go to getting ready so soon. When we came back, she began to cry and said I would not marry her. I told her I would, but wanted the time put off for awhile. She talked very cross to me at that time and I then made up my mind that I had better wait awhile and get better acquainted with her. You see I have a family. My wife died several years ago, and she was one of the finest women on earth and there never was any ricker in my family, and as this girl had talked cross to me at that time, I thought that she might make trouble at some other time, so I wanted the day put off for a while to become better acquainted with her and see if being cross was her disposition. I thought enough of the girl to marry her and am willing to do so, unless she agrees to be something that would create a disturbance in my family. I am sorry that this has come up and I do not think she loves me, or she would never have said so."

Mr. Herndon moved to this city only a few months ago. He owns considerable property here and in Laconia, Ill. He came here last May from Colorado, where he was staying for his health, and was so pleased with the city that he invested more money in real estate here. He built a fine house at 27th and Lawrence and moved his family here and is better in his new home. After talking with Mr. Herndon, the reporter called on Miss La Plant at her home, with H. J. Childers, an South Lawrence avenue. She had been in this city about a year ago last June. She is a teacher and nurse, and when she came here was employed in the Wichita hospital for some time. She is at present staying with Mrs. Childers. Her home is at Benton Harbor, Mich. She made the following statement to the reporter: "Mr. Herndon did make a direct promise to marry me on the 11th day of August. Then he said he would marry me sometime. I asked him if I should get my clothes ready and he said yes. Then last Tuesday, after we were sitting in the hammock, he said that he must go home and started to go without bidding me goodbye. I asked him when he was coming back, and he said he did not know and did not think that he would ever come back. I asked him to explain what he meant by this, and maybe would tell him a little, and he should tell me the next time he came here. I thought from the way he was acting that he was not coming back, and on the day he said that he did not know when he was coming back, I was sitting in the hammock."

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MAKES Beautiful Women.

It adds so much to the appearance and comfort of both men and women.

You can easily secure and always have beautiful hair, abundant and glossy, with comfort and cleanliness of the scalp by using the old well known

Beggs' Hair Renewer.

It lasts, is very economical, harmless, but sure and perfect in its results. It makes hair grow, restores its color and brilliancy, stops its falling out or thinning, removes dandruff. Guaranteed. For sale at druggists and dealers or address for booklet.

BEGGS MFG. CO. CHICAGO.

Dockum & Higginson, J. P. Allen, G. W. Van Werden.



Cured—32 Years of Awful Pile Agony.

St. Louis, Mo., Feb. 15, 1901. "For 32 years I suffered constantly from protruding piles and finally had to abandon my trade of bookbinding. Four months ago I began using Pyramid Pile Cure, and before I had used up one box the disease had entirely disappeared and there is no sign of its ever returning. I am completely cured. P. Capps, 215 N. Minnesota Ave. Sold by all druggists, 5c a box. Book, Piles, Causes and Cure, mailed free. Pyramid Drug Co., Marshall, Mich.

back, he did not treat me like a gentleman should. I was ready and waiting for him last night, but he did not come. I have all my wedding clothes ready and made all the preparations for the wedding, but Mr. Herndon did not come. I won't have anything more to do with him, and if he wants anything, he can see my attorney."

A Night of Terror. "Awful anxiety was felt for the widow of the late General Buckham of Michigan, who the doctors said she would die from pneumonia before morning," writes Mrs. S. H. Lincoln, who attended her that fearful night, but she begged for Dr. King's New Discovery, which had more than once saved her life, and cured her of Consumption. After taking, she slept all night. Further use entirely cured her. This marvelous medicine is guaranteed to cure all Throat, Chest and Lung Diseases. Only 50c and \$1 at G. Gehring's pharmacy.

THERE IS A PLACE

Where All Anarchists Should be Sent.

To the Editor of the Eagle:

There are places in the world where they have no government, and the anarchists should be made to go there. They have no business here. **SUBSCRIBER.**

MUSIC AND DRAMA.

The song recital to be given Friday evening by Mr. Moss Johnson, basso, will be a very interesting event. Mr. Johnson has been pursuing his musical studies under direction of Mr. E. C. Marshall, and expects to continue his work in college. He leaves in a short time for Ann Arbor, and while in college will study voice with Mr. W. D. Howland, of the university. A bright future, musically, may safely be predicted for Mr. Johnson, who is the possessor of a fine voice and musical intelligence. He will be assisted in this recital by Miss Jean Campbell, whose lovely voice and delightful singing are well known in Wichita to need more than mention.

Remember the time and place—Friday evening, September 13, at the First M. E. church. Come and be entertained.

UNDER A TENT

Breach & Powers, under canvas, played to a packed tent last night. The show is a very good one, and especially the first part, which was better than on their former visit to this city. Mr. McKenna, who has a very pleasing tenor voice gave excellent satisfaction with his ballad singing. Several of the other soloists deserve special mention. Mr. Orla Powers did his usual clever work, but it would not have been so good if he had not had out his song, which he has been doing now for several seasons, and got a new run in place of it. Some of his other work needs revision. Outside of this, the show is excellent.

GOOD HOUSE LAST NIGHT.

The Southern Stock company last night played to a good business at the Crawford. "Peck's Bad Boy" was the bill and the audience seemed extremely well satisfied with the performance. This afternoon "Where's Smith?" will be played, and every child will be presented with a sack of candy. The company closes their engagement tonight with "A Night Off."

The opening of the season at the Lyceum theatre Sunday night was an auspicious one. Every seat was taken and standing room was at a premium. The management was compelled to go outside the room in the gallery. The bill presented was the famous farce, Murray & Mackie's "Finnigan's Hall," which was well pleased. St. Joseph theatre-goers last night. It is very more interesting than and sprinkled with the best, brightest and newest of dialogue and music.

The company is composed of first-class people and the show is well kept in a row of laughter from the opening of the curtain to the fall of the final curtain. James Ryan, who takes the leading part of "Finnigan's Hall," is an admirable son of Erin, and a wide show in themselves, the presence of either one on the stage being in itself enough to start the audience to laughing. This pair of fun makers is closely followed by George Clark, who assumes the role of "Wesley Walker," to perfection. In his specialty turn with Louisa Family he winsome and comic, he delighted the audience with a number of good jokes which are not only new to St. Joseph, but as good as any ever heard here. Miss Gentry has a sweet soprano voice and able assistance Mr. Clark in his specialty turn. They were respectively encored.

The strong character part of the "Widow's Children," is well taken by John Ryan, who also sings a comic song and does an amusing dance. The comic songs and dances by the Corbett sisters are good. They are pretty and clever comedienne and very clever dancers. Joe Ward as "White Sells" and Kate Dault as "Mrs. Dault's Case" help to make the cast of characters a strong one. Miss Hall sang a beautiful ballad and was beautifully encoored. She has a high and melodic soprano voice.

The musical numbers are so interwoven that interest in the play does not for a moment lag. "Finnigan's Hall" is entirely worthy of the patronage which it is receiving. It is a strong attraction and one which the Lyceum management was fortunate to have. It is the first of the season. St. Joseph, Sept. 13, 1901. "Finnigan's Hall" will be at the Crawford theatre Saturday night and night of the 14th.

There is a supper scene in "On the Quaker" which William Corbett is said to make one of the funniest scenes that the stage has seen in many years.

Lead theatre-goers will be pleased to learn that Mrs. A. Brady's husband, and because a well produced, "Lover's Lane," by George M. Cohan, is booked to appear in this city in a short time. "Lover's Lane" depicting life in a small New England town, is pure and wholesome in every respect. The company carries all the scenery used in the piece and has over thirty people in the cast.

MUST HAVE WATER

People Interested in Arkansas Valley Meet in Convention.

MANTO PROCURE EVIDENCE

Request Made to Attorney General to Appoint One.

The Arkansas Valley Protective Association met yesterday in the council chamber of the city hall. The delegates were very enthusiastic over the meeting. T. S. Eckert, of Arkansas City, chairman of the association, called the meeting to order at 2 o'clock. He stated the purpose of the convention to the delegates, that they were to find some way to gather evidence for the use of Attorney General Goddard in his plea before the United States supreme court this winter. Some very interesting and enthusiastic speeches were made by various delegates. The first business that was transacted was the election of Major Sleeth, of Arkansas City, as secretary of the convention.

Captain Ashbaugh, of this city, was called upon for a speech, as he has been working upon the case for a number of years and had had several conversations with the attorney general in regard to it. In his opinion the best way to get testimony on this case was to have some man appointed who should go to the river and had not observed the different features of the river from time to time and would not make good witnesses. Some men were very close observers and had made a study of the river, could make some very definite statements in regard to it. He said that it would be necessary to get a very large number of witnesses, the more the better, and to do this work should take the testimony of these persons and tabulate it in such a way that the attorney general would have no trouble in making his plea. The case will come before the supreme court this winter and the evidence should be in the hands of the Kansas attorneys as soon as possible. Mr. Ashbaugh favored the passing of a resolution instructing the attorney general to appoint some capable man to do this work and pay him out of the fund appropriated for this work by the last legislature. Mr. Ashbaugh worked before the last legislature to get an appropriation for fighting this case and was successful to the amount of \$2,500. He was in favor of using some of this in getting the information desired. He stated that he was not going to do a little fight, but that the people along the Arkansas river in Colorado were going to fight this thing from the word "go" and there was no let-up to them. They have everything at stake and have plenty of money to fight with.

Col. G. S. Hartley of Arkansas City, moved that a committee of three be appointed to draft a set of resolutions, instructing Attorney General Goddard to appoint some person to collect the evidence needed. The motion was carried unanimously and Chairman Eckert appointed the following delegates as members of that committee: G. S. Hartley, Senator John Kelly and F. M. Deffmeyer. The convention then adjourned until the committee was working on the resolution drafted. The following is the resolution drafted:

Resolved, That it is the judgment of the delegates attending this meeting of the Arkansas Valley Protective Association, that Attorney General Goddard be requested to appoint some suitable person to collect and tabulate the evidence that may be needed to sustain the facts alleged in the bill of complaints filed in the state of the state of Kansas versus the state of Colorado.

(Signed) GEORGE S. HARTLEY, F. M. DEFFMEYER, JOHN KELLY.

This resolution was adopted without a dissenting vote. Mr. Deffmeyer then moved that if the attorney general refused favorably on the resolution, that the chairman of the association be appointed in each county to assist the men appointed in securing evidence. This motion prevailed. The chairman then announced that as he did not have a full list of names in the county, he would not make any appointments at present.

Mr. Eckert then made a short speech on the question as discussed by the members of the Trans-Mississippi Commercial congress, held at Chicago, Colo. a few weeks ago. He stated that no official action was taken by the congress, but the members discussed it among themselves. He said that the general opinion among the Colorado people was that it was the manufacturing interests of Kansas that was making the kick and not the farmers and stockmen. He said that the irrigators of Colorado had plenty of money and they made it understood among the delegates at the congress that they were going to spend some of it in fighting this case.

Mr. Ashbaugh then stated that there would have been no reason for this suit if the irrigation companies would not waste the water of the Arkansas river. This would have been the country water during the summer when it is needed here, if they would, but instead they refuse to use their privileges systematically.

As this concluded the business of the association, the delegates adjourned.

THE LADIES. The pleasant effect and perfect safety with which ladies may use Syrup of Fig, under all conditions, makes it their favorite remedy. To get the true and genuine article, look for the name of the California Fig Syrup Co., printed near the bottom of the package. For sale by all druggists.

CITY IN BRIEF.

Mrs. Dr. Hoffman left yesterday for St. Louis on a visit.

E. L. Fisher, traveling passenger agent for the Chicago & Northwestern, is in the city.

O. G. Miller, traveling representative of the American type foundry company, is in the city.

C. L. Winder, of San Antonio, Texas, who has been visiting his parents for two months, leaves this morning for home.

Mrs. Anderson, of the Bayville block, who was called to Colorado on account of her mother's illness, is returning home.

Chas. Osborn reported to the police that his bicycle had been stolen from the rack in front of the Hasting block night before last.

The first school baseball game this season was played by the Washington and Catholic boys. The Catholic boys won the game by a score of 14 to 6.

Assistant County Attorney Henry W. Hutton, who has been quite ill for the past week, is slowly convalescing at his home on South Lawrence avenue.

Dr. Lyon's PERFECT

Tooth Powder

Used by people of refinement for over a quarter of a century

TO BUILD OFFICES

Plans Completed for Wells-Fargo Building.

READY TO BEGIN WORK

Fine Library and Bath Rooms are Features.

Plans are completed for the new pressed brick building to be erected by the Wells-Fargo Express company in this city. The work will begin soon and it is expected that it will be completed before Christmas. A reporter for the Eagle saw the plans, which are very complete, yesterday. The building will be erected between the Union depot and the Santa Fe freight house and will be modern in every respect. It will be sixty feet long and fifty feet wide and two stories high. The first floor will be constructed for the accommodation of consignments, a system of stairs to be on one side for the goods consigned to the several Santa Fe branches, which the company operates from here. The company offices will also be in the building and will be richly furnished. The second floor of the building will be occupied by a library for the employees of the company. It will be thirty by forty feet in dimensions and will contain more than 1,000 volumes of standard literature. In connection with the library there will be an elegantly furnished bath room, which will be maintained at the company's expense for its employees.

The cost of the building is not known to the agent here, but it is estimated that it will be very close to \$10,000 if not more.

In Substitute Feeding for infants, physicians agree that cow's milk is the basis for all beginnings. What is required then, is the best possible milk product. Borden's Eagle Brand Condensed Milk is ideal, pure, sterile and guarded against contamination.

ABANDONED FOR NINE YEARS Yesterday Henry Clark filed a petition for an absolute divorce from Maggie Clark. He alleges that she has abandoned him and has refused to live with him for the past nine years. He said that they were married at Shirley, N. Y., in 1892 and that they have one child. He says that he has always been a dutiful husband and has given no reason that his wife should leave him.

A Shocking Calamity. "Lately bereft a railroad laborer," writes Dr. A. Kellett, of Willford, Ark. "His foot was badly crushed, but Bucklen's Arnica Salve quickly cured him. It's simply wonderful for Burns, Boils, Piles and all skin eruptions. It's the world's champion healer. Cure guaranteed." Sold by G. Gehring's pharmacy.

J. L. Roddick, agent for the Santa Fe at Ellinwood is in the city, attending grand jury meeting at the United States court.

Mrs. Wm. Longsdorf and Mrs. L. H. Kistler left this morning for Ponca City where they will visit with Mr. and Mrs. G. A. Wages.

Mr. F. W. Reed of Syracuse, N. Y., left yesterday over the Frisco for his home, after several days' visit with his brother, Mr. Frank A. Reed, of 135 New York avenue. Mr. Reed's visit here was partly pleasure and partly business, as he is seriously considering making this city his home in the near future. He was very favorably impressed with the life, activity and evidence of prosperity of Wichita, and he always has been a warm admirer of the city and its climate. He was accompanied by Mrs. Frank Reed and children, who have returned from a summer visit in central New York.

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We are busy every day selling the best assorted stock of Groceries, the most select stock of Fresh Fruits and Vegetables in the city at a price that is popular with all.

Try us on Cheese...

New York Full Cream, 16 pound, 2 for \$5; Limburger, 16 brick, 16 pound; Imported Swiss, 16 pound; McLaren Imported Cheese, 16c. WE KEEP OUR CHEESE ON ICE.

Pickles...

We make a specialty of the H. J. Heinz goods. They are the best. We have this year's packing. Don't buy old stock. Our goods are new.

Canned Goods...

Try us. We have our stock bought at a price that enables us to sell the high grade at about the same price that most stores will sell you cheap packs at. A full 1-lb can Tomatoes, 2 for 35c—not the common kind—we sell them at 10c. Corn, good Iowa pack, at 3 for 15c. Try our Sauer Kraut, per can, 10c, 2 for 20c. In high grade Canned Goods we have the Casino brand, the pack and pride of Franklin McVey. Don't hunt for cheap stuff. If you want the best, we can please you. We are sure to fill your orders right. Try us Friday and Saturday on our.

Fresh Baltimore Oysters...

Shipped direct, at per quart, 10c.

We get the best Celery. Did you see the kind of Potatoes we have to fill your orders with. They are fine. We sell our kind at 30c per sack—any high grade brand you want. A visit to our store will convince you that we have the cleanest, best assorted stock, and are in a position to fill your orders with better Groceries than you are getting elsewhere.

New Pancake Flour, 3 packages for 25 cents.

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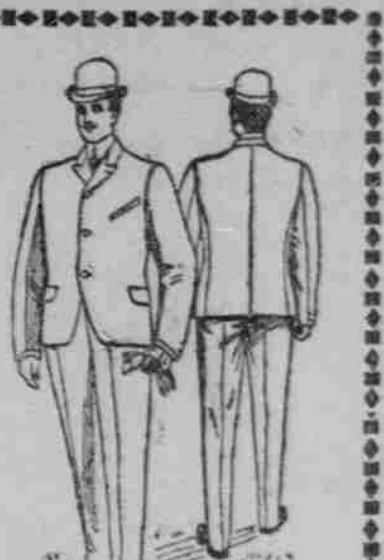
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Same Price to Everybody.

Its Quality Never Changes

Always the best. Every pound print, the wrapper on which bears a fac simile of this label—

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Made Only by

The Continental Creamery Co.

Wichita, Kansas

Made of pure, sweet cream, pasteurized. For sale by all first class grocers.

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Collier White Lead

Wright & Hill's Linseed Oil

Masury's Colors, in Oil and

Japan

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Paper

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